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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/502,416

07/23/2004

Daniel Greub

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28289

7590

07/19/2006

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EXAMINER

CHIEM, DINH D

ART UNIT

PAPER NUMBER

2883

DATE MAILED: 07/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/502,416

Applicant(s)

GREUB, DANIEL

Examiner

Erin D. Chiem

Art Unit

2883

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 17-44 is/are pending in the application.
- 4a) Of the above claim(s) 18-26 and 33 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17, 27-32 and 34-44 is/are rejected.
- 7) ☒ Claim(s) 17, 27-32, and 34-44 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/21/06 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6/13/06.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

An informal telephonic communication on July 3, 2006 persuaded the examiner with regard to the issues in the after final response filed on March 10, 2006. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. Examiner reopens prosecution with new grounds of rejection. The status of the claims is as follows:

Claims 1-16 are canceled.

Claims 18-26, and 33 are withdrawn from consideration.

Claims 36-44 are newly added.

Therefore, claims 17-44 are pending.

### ***Election/Restrictions***

Claims 18-26, and 33 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on September 6, 2005.

Applicant's election with traverse of Species C, drawn to claims 17, 27-32, and 34-35 is acknowledged. The traversal is on the ground(s) that since the International Searching Authority reviewed and found that the application contains a single inventive concept thus restriction is improper. This is not found persuasive because examiner finds that the inventive concept of the applicant's invention lies in the locking mechanism of the connector and applicant discloses

multiple implementations for locking the split sleeve such that the sleeve is prevented from rotating and maintain the aligned orientation. Therefore, the structures of the locking mechanism are mutually exclusive and mutual exclusivity of the structures constituting lack of unity.

The requirement is still deemed proper and is therefore made FINAL.

### *Claim Objections*

Claims 17, 27-32, and 34-44 are objected to because of the following informalities:

Claims 17 and 36 contains grammatical errors and unclear limitations:

- *“longitudinally slit”* – longitudinally is an adverb and not an adjective.
- The recitation *“A sleeve mount comprising an interior for accommodating and securing a longitudinal slit, cylindrical sleeve”* is nonsensical. The lack of clarity to this recitation is due to the comma creating a list of elements rather a compound adjective. A slit is a hole or a void, thus a void cannot be secured. Perhaps applicant intended to recite *“A sleeve mount comprising an interior for accommodating and securing a cylindrical sleeve having a longitudinal slit.”*
- The recitation *“the sleeve mount provided in a coupling of an optical plug-in connection for accommodating ferrules of two optical plug-in connectors introduced from opposite directions”* is claiming intended use and not positively further narrowing the structural features. The preamble of claims 17 and 36 calls for a “sleeve mount” which reads on to the “securing plate” having

reference number 37 in Fig. 7, in which the split sleeve '20' is "mount[ed]" and "restricted to the central part of the of the sleeve mount."

Claims 27 and 37 contains subject matter which lacks antecedent basis.

- As objected to, in the third bullet, above there are no drawings or figures which show a sleeve mount, i.e., securing plate, which has two accommodating parts. Therefore, the claim language is inconsistent with the disclosure and the drawings.

Claims 28-32, 34-35, and 38-44 are also objected to due to the dependency of unclear parent claims.

Appropriate correction is required.

For examination purposes, claim 17 and a portion of claim 36:

A sleeve mount comprising an interior for accommodating and securing a longitudinally slit, cylindrical sleeve, the sleeve mount provided in a coupling of an optical plug-in connection for accommodating ferrules of two optical plug-in connectors introduced from opposite directions, the sleeve mount having means for securing the sleeve against rotation about a sleeve axis, wherein the means for securing are arranged in a central part of the sleeve mount and are restricted to the central part of the sleeve mount.

will be considered to mean:

A sleeve mount assembly comprising a sleeve mount having an interior for accommodating and securing a longitudinally slit, cylindrical sleeve, cylindrical sleeve having a longitudinal slit, the sleeve mount assembly further comprising ~~provided in a coupling of an~~ optical plug-in connections for accommodating ferrules of two optical plug-in connectors introduced from opposite directions, the sleeve mount having means for securing the sleeve

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against rotation about a sleeve axis, wherein the means for securing are arranged in a central part of the sleeve mount and are restricted to the central part of the sleeve mount.

For examination purposes, claim 27 and 37 recitation:

The sleeve mount according to claim 17, wherein the sleeve mount is made up of two separate accommodating parts, and the means for securing are arranged and retained between the accommodating parts.

will be considered to mean:

The sleeve mount assembly according to claim 17, wherein the sleeve mount assembly is made up of two separate accommodating parts, and the means for securing are arranged and retained between the accommodating parts.

Furthermore, the recitation of a “sleeve mount assembly” will be applied to the subsequently dependent claims.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 17 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu et al. (US 6,666,586 B2, hereinafter “Wu”). Wu discloses in Fig. 5, A sleeve mount assembly (100) comprising a sleeve mount (111) having an interior for accommodating and securing a

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cylindrical sleeve (40) having a longitudinal slit (41), the sleeve mount assembly further comprising optical plug-in connections (12, 50) for accommodating ferrules of two optical plug-in connectors introduced from opposite directions, the sleeve mount having means for securing the sleeve against rotation about a sleeve axis (70, 71, 72, 151) wherein the means for securing are arranged in a central part of the sleeve mount and are restricted to the central part of the

sleeve

wherein

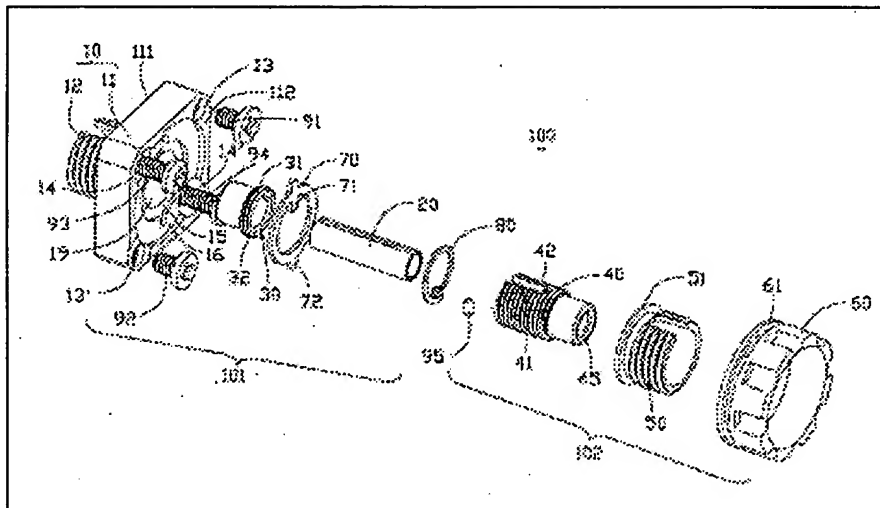
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Claims 27 and 37, the two separate accommodating parts are the two connection members (12, 50) wherein the means for securing are arranged and retained between the accommodating parts.

***Claim Rejections - 35 USC § 103***

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 28-32, 34-35, and 38-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu in view of Ishikawa et al. (JP 05-034549 A, hereinafter "Ishikawa") and Puetz (US 6,347,888 B1, hereinafter "Puetz").

Regarding claim 28 and 38, Wu discloses in Fig. 5, A sleeve mount assembly (100) comprising a sleeve mount (111) having an interior for accommodating and securing a cylindrical sleeve (40) having a longitudinal slit (41), the sleeve mount assembly further comprising optical plug-in connections (12, 50) for accommodating ferrules of two optical plug-in connectors introduced from opposite directions, the sleeve mount having means for securing the sleeve against rotation about a sleeve axis (70, 71, 72, 151) wherein the means for securing are arranged in a central part of the sleeve mount and are restricted to the central part of the sleeve mount, and wherein the means for securing are designed to engage (71 engages in 41) in a slit of the cylindrical sleeve having the longitudinal slit.

However, Wu does not disclose the accommodating parts are put together, the means for securing comprising a securing plate retained in a rotationally secure manner between the flange parts and engaging in the slit of the slit sleeve by way of a protuberance.



Ishikawa discloses a portion of a connector (Fig. 1) having a securing plate (3) retained in a rotationally secure manner and engaging in the slit of the slit sleeve (11) by way of a protuberance (Fig. 5). However, Wu does not explicitly disclose a second flange which abuts to the first flange (2).

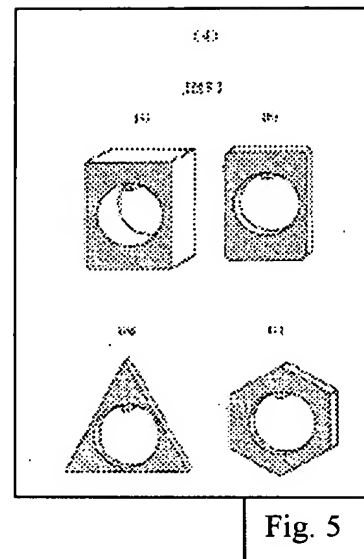
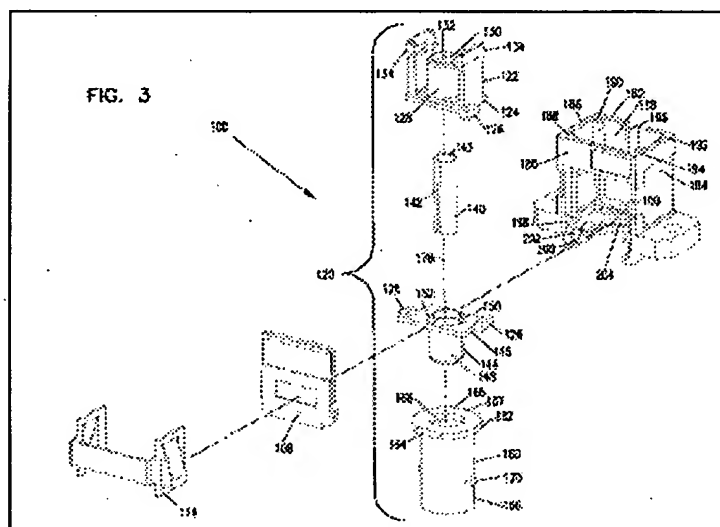


Fig. 5

Puetz discloses a connector adapter wherein two flanges abut against one another, similar to the connector disclosed by Ishikawa.

Since Wu, Ishikawa, and Puetz are all from the same field of endeavor, the purpose disclosed by Ishikawa and Puetz would have been recognized in the pertinent art of Wu.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to the securing plate (Fig. 5) may be used in Wu's adapter as a mean of securing the sleeve from rotation with the



motivation of maintaining alignment to "decrease the fluctuation in the loss by repetitive attaching and detaching" (PURPOSE of Ishikawa patent). Furthermore, Puetz's

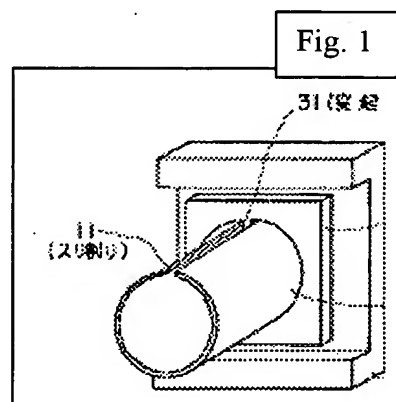


Fig. 1

reference is applied to explicitly show the functionality of Ishikawa's adapter, wherein Ishikawa does not explicitly show the second abutting flange. **The motivation** for providing a second flange is to latch the two flanges together such that the flange(s) will not slide along the longitudinal direction of the sleeve.

As to claims 29 and 39, Ishikawa discloses the flange parts contain depressions for accommodating the securing plate, and the depressions each have a peripheral contour adapted to a peripheral contour of the securing plate (see Fig. 1).

As to claims 30 and 40, Ishikawa discloses the securing plate has a central opening, the sleeve is plugged through the central opening, and the protuberance is arranged on an inner periphery of the opening (see Fig. 5).

As to claims 31 and 41, Ishikawa discloses the protuberance of the securing plate engages the slit of the sleeve without projecting into an interior of the sleeve (see Fig. 1).

As to claims 32, 34, 35, and 41-44, Ishikawa discloses the adapter comprises means for defining the angle of rotation orientation provided on the securing plate and the accommodating parts wherein the peripheral contour allows radial play (see Fig. 5 with the triangular and hexagonal securing plate), and these embodiment of securing plates are bevels.

***Response to Arguments***

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Examiner has carefully considered applicant's each and every argument and provided new grounds of rejection with careful consideration to the amended limitations and arguments.

Therefore, applicant's argument is moot in view of new grounds of rejection.

*Contact Information*

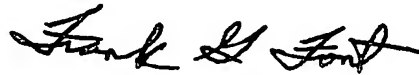
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erin D. Chiem whose telephone number is (571) 272-3102. The examiner can normally be reached on Monday - Thursday 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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